

Senate Bill 389

By: Senators Seabaugh of the 28th, Balfour of the 9th and Johnson of the 1st

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 46-5-164 of the Official Code of Georgia Annotated, relating to  
2 interconnection among certificated local exchange companies, so as to create a funding  
3 source for the Georgia Broadband Education Commission from the payments made to the  
4 state pursuant to any penalty or performance plans; to promote parity among local exchange  
5 carriers; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 46-5-164 of the Official Code of Georgia Annotated, relating to  
9 interconnection among certificated local exchange companies, is amended by adding a new  
10 subsection (h) to read as follows:

11 "(h) Any penalty or performance plan administered or approved by the commission (1)  
12 may provide for payments only to the state but in no case may it provide for payments to  
13 individual local exchange carriers; (2) the obligations imposed by any such plan must be  
14 imposed on all local exchange carriers; and (3) any moneys collected pursuant to such  
15 penalties or plans shall be used as necessary to fund the Georgia Broadband Education  
16 Commission."

17 **SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.